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Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. "Katie" Arrington
Gary E. Clary
Chandra E. Dillard
MaryGail K. Douglas
Phyllis J. Henderson
Joseph H. Jefferson Jr.
Robert L. Ridgeway, III
Tommy M. Stringer
Bill Taylor*



*Bruce W. Bannister
William K. "Bill" Bowers
Neal Collins
Raye Felder
William M. "Bill" Hixon
Jeffrey E. "Jeff" Johnson
Mandy Powers Norrell
Edward R. Tallon Sr.
Robert Q. Williams*

South Carolina House of Representatives

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

*Charles L. Appleby IV
Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

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*Kendra H. Wilkerson
Fiscal/Research Analyst*

Legislative Oversight Committee Meeting

Tuesday, December 19, 2017

Blatt Building Room 110

10:00 a.m.

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The House Legislative Oversight Committee was called to order by Chair Wm. Weston J. Newton on Tuesday, December 19, 2017, in Room 110 of the Blatt Building. All members of the Committee were present for all or a portion of the meeting, except: Representative Chandra E. Dillard, Representative Raye Felder, Representative Robert L. Ridgeway, III, and Representative Tommy M. Stringer.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings.

- II. Chairman Newton calls the meeting to order.
- III. Representative Gary E. Clary moves to approve the minutes from the Committee's meeting on November 13, 2017. A roll call vote is held, and the motion passes.

Representative Clary's motion to approve the minutes from the November 13, 2017 meeting:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson			✓	
Mandy Powers Norrell				✓
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor			✓	
Robert Q. Williams				✓
Wm. Weston J. Newton	✓			

Discussion of the State Election Commission

- I. Representative Clary of the Executive Subcommittee provides an update on the study of the State Election Commission.
- II. Mr. Scott Slatton (Municipal Association of South Carolina) and Mr. Owen McBride (South Carolina Association of Counties) answer questions that arose during the last full committee meeting, regarding county and municipality election responsibilities.

Members ask questions, which Mr. Slatton and Mr. McBride answer.

III. State Election Commission Director Marci Andino addresses the committee. Members ask questions regarding protest and contest, which Director Andino answers.

IV. Representative Clary moves that the recommendation presented by the State Election Commission regarding the standardization of protest be adopted. A roll call vote is held, and the motion passes.

Representative Clary's motion that the SEC include a recommendation that SC Code Annotated Sections 5-15-80;5-15-100; and 5-15-130 be revised, as outlined on the screen, to standardize municipal election protest time frames to mirror the statewide election protest schedule.	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

- V. Mr. Will Roberts, Mapping Program Director, and Mr. David Ballard, County Boundary Program, with the Revenue and Fiscal Affairs Office, address the committee. Members ask questions, which Mr. Ballard and Mr. Roberts answer, about various topics, including, but not limited to:
- a. Geographic boundaries; and
 - b. Geodetic surveys.
- VI. Representative Clary moves to approve the Subcommittee Report on the South Carolina State Election Commission, as presented. A roll call vote is held, and the motion passes.

Representative Clary's motion to approve the Subcommittee Report on the South Carolina State Election Commission:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

- VII. Director Marci Andino provides information on a recent Attorney General opinion that relates to cyber security at the agency. Members ask questions regarding protest, which Director Andino answers.

Discussion of the Department of Health and Environmental Control

- I. Representative Phyllis J. Henderson provides an update on the Economic Development, Transportation, and Natural Resources Subcommittee study of the Department of Health and Environmental Control.

- II. Representative Henderson moves to approve three recommendations relating to the study regarding the following topics:
 - a. Tanning beds;
 - b. Narcotics and Controlled Substances; and
 - c. Pinewood Hazardous Waste Facility.

Roll call votes are held, and the motions pass.

Representative Henderson’s motion that the committee further evaluate and adopt as a recommendation, DHEC recommendation 2.7, which cleans up portions of the code related to the Pinewood Hazardous Waste facility that was closed in 2000:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary				✓
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson			✓	
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Representative Henderson's motion that the committee further evaluate and adopt as a recommendation, DHEC recommendation 2.18, which helps ensure the public's health by conducting routine inspections of tanning bed facilities and will be funded through the retention of annual registration fees:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Representative Henderson's motion that the committee further evaluate and adopt as a recommendation, DHEC recommendation 2.24, which seeks to improve drug inspections and create efficiencies in the scheduling of controlled substances:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			

Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

III. Members ask question, which Representative Henderson and DHEC representatives answer.

IV. Representative Henderson moves to approve the Subcommittee Report on the South Carolina Department of Health and Environmental Control, as presented. A roll call vote is held, and the motion passes.

Representative Henderson’s motion to approve the Subcommittee Report on the South Carolina Department of Health and Environmental Control:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓

Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Discussion of Recommendations to the Speaker for Agencies to Schedule for Study in 2018

- I. Chairman Newton explains that the Committee completed six studies of agencies and one study of an issue. So far in 2017, the Committee has approved ten studies. Also, he explains the process for selecting agencies to study in 2018.
- II. Representative Bruce W. Bannister, chair of the Economic Development, Transportation, and Natural Resources Subcommittee, put forth the names of three agencies that had been suggested for study in 2018: the Department of Revenue, the Department of Commerce, or the Department of Motor Vehicles.
- III. Representative Jefferson, chair of the Education and Cultural Subcommittee, recommends that the Subcommittee study the ETV Commission.
- IV. Representative Clary, chair of the Executive Subcommittee, recommends that the Subcommittee study the Department of Parks, Recreation, and Tourism. Representative Williams expresses interest in the Aeronautics Commission.
- V. Representative Henderson, chair of the Healthcare and Regulatory Subcommittee, stated that the Subcommittee is continuing its study of the Department of Disabilities and Special Needs. Once completed, Representative Henderson recommends that the Subcommittee study the Department of Labor, Licensing, and Regulation.
- VI. Representative Tallon, chair of the Law Enforcement and Criminal Justice Subcommittee, recommends that the Subcommittee continue its study of the Department of Natural Resources, and recommends the Subcommittee study the Commission on Indigent Defense and the Commission on Prosecution Coordination.

VII. Representative Tallon moves to approve the Department of Revenue (Economic Development, Transportation, and Natural Resources Subcommittee); ETV Commission (Education and Cultural Subcommittee); Department of Parks, Recreation, and Tourism (Executive Subcommittee); Department of Labor, Licensing, and Regulation (Healthcare and Regulatory Subcommittee); and Commission on Indigent Defense and the Commission on Prosecution Coordination (Law Enforcement and Criminal Justice Subcommittee) as the next agencies to study. A roll call vote is held, and the motion passes.

Representative Tallon’s motion to approve the Department of Revenue (Economic Development, Transportation, and Natural Resources Subcommittee); ETV Commission (Education and Cultural Subcommittee); Department of Parks, Recreation, and Tourism (Executive Subcommittee); Department of Labor, Licensing, and Regulation (Healthcare and Regulatory Subcommittee); and Commission on Indigent Defense and the Commission on Prosecution Coordination (Law Enforcement and Criminal Justice Subcommittee) as the next agencies to study:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard				✓
MaryGail Douglas	✓			
Raye Felder				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson	✓			
Mandy Powers Norrell	✓			
Robert L. Ridgeway, III				✓
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
Robert Q. Williams	✓			

Wm. Weston J. Newton	✓			
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Discussion of Committee Administrative Matters

- I. Chairman Newton provides an overview of administrative matters regarding the legislative process.
- II. Vice-Chair Laurie Slade Funderburk provides an update on the reoccurring issue of vacancies and holdovers on agency governing boards. For example, agencies with this issue include, but are not limited to: the Department of Agriculture, Human Affairs Commission, John de la Howe School, and Commission for Minority Affairs. Online information from the Secretary of State indicates there are over 90 pages of vacancies and holdovers on governing boards of various state agencies.
- III. Representative Bannister, chair of the Economic Development, Transportation, and Natural Resources Subcommittee, provides an update on the study of the Commission for Minority Affairs. Representative Bannister notes that many constituents have testified, mainly about the issue of Native American tribe and group recognition.
- IV. Representative Jefferson, chair of the Education and Cultural Subcommittee, provides an update on the study of John De La Howe and Patriots Point Development Authority. Representative Jefferson explains that the Subcommittee visited the campus and the school is doing what it can to improve.
- V. Representative Clary, chair of the Executive Subcommittee, provides an update on the State Treasurer’s Office. He explains that one of the Committee’s two recommendations for the General Assembly in the study of the State Treasurer’s Office has been presented as a bill and became law in July. Representative Clary provides an update on the subcommittee’s current study of the Office of the Adjutant General.
- VI. Representative Henderson, chair of the Healthcare and Regulatory Subcommittee, provides another update on DHEC. She explains that she has pre-filed nine bills related to this study. Representative Henderson provides an update on the study of Department of Disabilities and Special Needs and notes that this agency is very complex.
- VII. Representative Tallon, chair of the Law Enforcement and Criminal Justice Subcommittee, provides an update on the bills filed relating to the Law Enforcement and Criminal Justice Academy and the Department of Public Safety. Representative Tallon provides an update on the current study, the Department of Natural Resources. He

mentions that the subcommittee has met 9 times during this study with an average meeting duration of 4 hours.

VIII. There being no further business; the meeting is adjourned.